

JDV/RTS/LLS/DXA/LIP

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In re Application of: Robert W. Esmond et al.

Group Art Unit: 1614

Application No.: 10/669,217

Examiner: Vickie Y. Kim

Filed: September 23, 2003

Confirmation No. 2163

For: METHOD FOR TREATING OR PREVENTING ALZHEIMER'S DISEASE

1. Response to Restriction Requirement (5 pages);
2. Supplemental Information Disclosure Statement (2 pages);
3. Form PTO 1449 (1 page); and
4. Copies of six listed documents.

Dated: September 29, 2004

RECEIVED

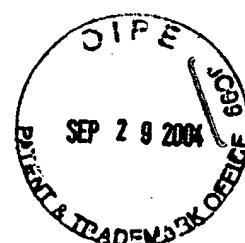
OCT 18 2004

VIA EXPRESS MAIL
MAIL STOP AMENDMENT
LABEL: EV 351293828 US

Docket No.: 4012.0373-02000

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP (Due Date: September 30, 2004)

RJS/LLS/DXA/smb PLEASE RETURN TO REGIONAL DESK -- PALO ALTO OFFICE



already dated 10/26/04

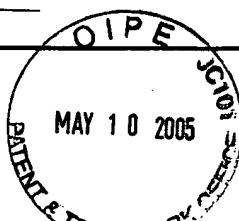
CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"
I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Sarah Barnett

Express Mail Label No.: EV 351293828 US

Signature: 

Date: September 29, 2004



PATENT
Customer No. 22,852
Attorney Docket No. 4012.0373-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

)

Robert W. Esmond et al.

) Group Art Unit: 1614

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Application No.: 10/669,217

) Examiner: Vickie Y. Kim

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Filed: September 23, 2003

) Confirmation No.: 2163

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For: METHOD FOR TREATING OR
PREVENTING ALZHEIMER'S
DISEASE

)

)

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicants enclose a copy of the claims for co-pending Application No. 10/936,709, filed September 9, 2004, which claims the same priority as the above-referenced application. Applicants also enclose a copy of an Office Action mailed August 25, 2004, in Application No.

10/669,281, and four references cited by the Examiner in that Office Action. A copy of the remaining listed document was previously submitted in a prior application, Application No. 09/394,712, filed September 13, 1999, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

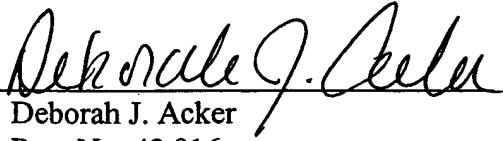
If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

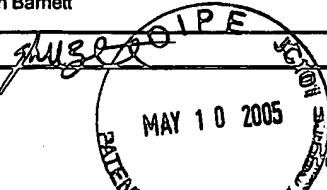
Dated: September 29, 2004

By:


Deborah J. Acker
Reg. No. 48,916

CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"

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Name: Sarah Barnett	Express Mail Label No.: EV 351293828 US
Signature: 	Date: September 29, 2004

MAY 10 2005

OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Atty. Docket No. 4012-0373-02000	Appln. No. 10/669,217
Applicant Robert W. ESMOND et al.	
Filing Date September 23, 2003	Group: 1614

U.S. PATENT DOCUMENTS

Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Arbeeny, C.M., "Novel Drug Development Strategies for the Treatment of Insulin Resistance," Drug & Market Dev. 9:204-209 (1998)
	Compton et al., "Mood, Cognition and Alzheimer's Disease," (abstract) Database SCISEARCH, Best Practice and Research in Clinical Obstetrics & Gynaecology: 16(3): 357-370 (2002)
	Gottfries, "Therapy Options in Alzheimers-disease," (abstract) Database SCISEARCH, British Journal of Clinical Practice: 48(6): 327-330 (1994)
	Mandelkow et al., "Tau Protein and Alzheimer's Disease," (abstract) Database MEDLINE, Neurobiology of Aging 15(Suppl. 2): S85-86 (1994)
	Office Action mailed August 25, 2004, in Application No. 09/669,281, filed September 23, 2003.
	Thomas et al., "Aspirin and non-steroidal anti-inflammatory drugs inhibit amyloid-beta aggregation," (abstract) Database CAPLUS, NeuroReport 12(15): 3263-3267 (2001)
	Copy of pending claims for U.S. Patent Application No. 10/936,709, filed September 9, 2004.

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

CEV/JDV/RJS/DXA/LH

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In re Application of: R. W. Esmond et al.

Application No.: 10/669,217

Group Art Unit: 1614

Filed: September 23, 2003

Examiner: Vickie Y. Kim

For: METHOD FOR TREATING OR PREVENTING ALZHEIMER'S DISEASE

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1. Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97(b) (3 pages);
 2. Form PTO 1449 (1 page); and
 3. Copy of the Supplemental Request Under 37 C.F.R. § 1.607 For An Interference With U.S. Patent No. 6,191,154 that was submitted on June 9, 2004, (12 pages, pages 1-12); with Exhibit 1, U.S. Patent No. 6,191,154; Exhibit 2, documents related to the filing of PCT/US98/04731; Exhibit 3, documents related to filing of U.S. provisional application No. 60/039,607; Exhibit 4, *Chemical Abstracts Registry*, Entry No. 122320-73-4; Exhibit 5, Lehmann et al., "An Antidiabetic Thiazolidinedione Is A High Affinity Ligand for Peroxisome Proliferator-activated Receptor γ (PPAR γ)," *The Journal of Biological Chemistry* 270:12953-12956 (1995); Exhibit 6, U.S. Patent No. 5,478,852; Exhibit 7, excerpts from www.alzheimers.org; and Exhibit 8, U.S. Patent No. 5,326,770.

Dated: July 15, 2004

Docket No.: 4012.0373-02000

RJS/DXA/smb PLEASE RETURN TO REGIONAL DESK -- PALO ALTO OFFICE

VIA HAND DELIVERY

(Due Date: None)



Docket 7-16-04 pmc

PATENT
Customer No. 22,852
Attorney Docket No. 4012.0373-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Robert W. Esmond et al.) Group Art Unit: 1614
Application No.: 10/669,217) Examiner: Vickie Y. Kim
Filed: September 23, 2003) Confirmation No.: 2163
For: METHOD FOR TREATING OR)
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DISEASE)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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Copies of the listed documents were previously submitted in a prior application, Application No. 09/394,712, filed September 13, 1999, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

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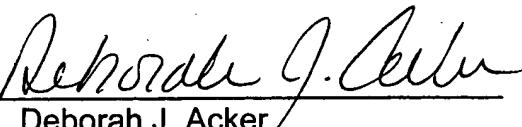
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Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Deborah J. Acker
Reg. No. 48,916

Dated: July 15, 2004

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	4012.0373-02000	Appn. No.	10/669,217
Applicant	R. W. ESMOND et al.		
Filing Date	September 23, 2003	Group:	1614

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	4,855,306	Aug 8, 1989	Markstein et al.			

FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	0 587 377 A2/A3	Mar 16, 1994	EPO			
	0 677 517 A1	Oct 18, 1995	EPO			
	07-238035 A2	Sep 12, 1995	JPO			Abstract

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Supplementary European Search Report for Application No. EP 98 90 9105, dated May 24, 2004.
	Supplemental Request under 37 C.F.R. § 1.607 For An Interference with U.S. Patent No. 6,191,154, submitted June 9, 2004, with attachments.

Examiner	Date Considered
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"

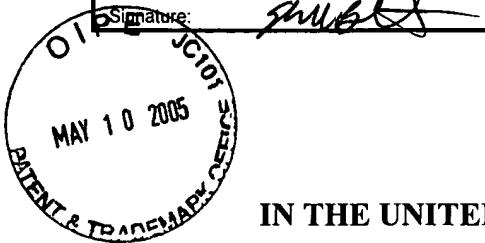
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Name: Sarah M. Barnett

Express Mail Label: EV 398889697 US

Signature: 

Date: May 10, 2005



PATENT

Customer No. 22,852

Attorney Docket No. 4012.0373-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Robert W. Esmond et al.) Group Art Unit: 1614
Application No.: 10/669,217) Examiner: Vickie Y. Kim
Filed: September 23, 2003) Confirmation No.: 2163
For: METHOD FOR TREATING OR)
PREVENTING ALZHEIMER'S)
DISEASE)

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a first Office Action after the filing of a Request for Continued Examination in the above-referenced application.

Copies of the listed non-patent literature documents are attached.

Applicants also submit copies of the Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97(b) which was filed on July 15, 2004, and the Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97(b), which was filed on September 29, 2004. Each

copy is resubmitted with its respective Form PTO 1449 and receipt-stamped postcard. Copies of the listed references are not included with this submission. The USPTO Patent Application Information Retrieval ("PAIR") system indicates that copies of the references have already been scanned into the image file wrapper for this application. However, Applicants have not yet received evidence that these references have been considered.

Applicants respectfully request that the Examiner consider all the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

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Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By:


Deborah J. Acker
Reg. No. 48,916

Dated: May 10, 2005

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Name: Sarah M. Barnett	Express Mail Label: EV 398889697 US
Signature: 	Date: May 10, 2005

IDS Form PTO/SB/08: Substitute for form 1449A/PTO MAY 10 2005
INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Use as many sheets as necessary)

Complete if Known

Application Number	10/669,217
Filing Date	September 23, 2003
Confirmation No.	2163
First Named Inventor	Robert W. ESMOND
Art Unit	1614
Examiner Name	Vickie Y. Kim
Attorney Docket Number	04012.0373-02000

Sheet

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of

1

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No.	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation
		Country Code Number Kind Code (if known)				

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		de la MONTE et al., "Review of insulin and insulin-like growth factor expression, signaling, and malfunction in the central nervous system: Relevance to Alzheimer's disease," Journal of Alzheimer's Disease, 7: 45-61 (2005).	
		Steen et al., "Impaired insulin and insulin-like growth factor expression and signaling mechanisms in Alzheimer's disease - is this type 3 diabetes?," Journal of Alzheimer's Disease, 7: 63-80 (2005).	

Examiner Signature		Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.